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Date: (Filing No. H-)

JUDICIARY

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
131ST LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1085, L.D. 1696, “An Act to Create a Civil Cause of Action for Persons Suffering Damages Arising from the Sale of Abnormally Dangerous Firearms”

Amend the bill by striking out the title and substituting the following:

'An Act to Create a Civil Cause of Action for Persons Suffering Damages Arising from the Illegal Sale or Marketing of Firearm-related Products'

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 14 MRSA c. 763 is enacted to read:

CHAPTER 763

**CIVIL LIABILITY FOR THE ILLEGAL SALE OR MARKETING OF
FIREARM-RELATED PRODUCTS**

§9001. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Firearm. "Firearm" has the same meaning as in Title 17-A, section 2, subsection 12-A.

2. Firearm industry member. "Firearm industry member" means a person, firm, corporation, company, partnership, society, joint stock company or any other entity or association engaged in the sale, manufacturing, distribution, importing or marketing of a firearm-related product or any officer, agent, employee or other person authorized to act on behalf of the person, firm, corporation, company, partnership, society, joint stock company or other entity or association or that acts in concert or participation with one or

COMMITTEE AMENDMENT

1 more such persons, firms, corporations, companies, partnerships, societies, joint stock
2 companies or other entities or associations.

3 **3. Firearm-related product.** "Firearm-related product" means a firearm, ammunition,
4 ammunition magazine, firearm component or part, including a firearm frame, firearm
5 receiver or firearm accessory, that is or is intended to be sold, manufactured, distributed,
6 imported or marketed.

7 **4. Person.** "Person" means a natural person or legal entity, including a corporation,
8 partnership, limited liability company or incorporated or unincorporated association.

9 **§9002. Private cause of action**

10 A person that has suffered damages in the State that are proximately caused by the
11 reckless, unconscionable, deceptive or intentional actions of a firearm industry member
12 may bring an action for the recovery of those damages.'

13 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section
14 number to read consecutively.

15 **SUMMARY**

16 This amendment, which is the minority report of the committee, replaces the bill and
17 changes the title. The amendment does the following.

18 1. It defines "firearm," "firearm industry member," "firearm-related product" and
19 "person."

20 2. It establishes a private cause of action for a person that has suffered damages from
21 the reckless, unconscionable, deceptive or intentional actions of a firearm industry member.

22 **FISCAL NOTE REQUIRED**

23 **(See attached)**